

In the Court of Appeals of the State of Alaska

Mark J Kon,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13242**

Order

Date of Order: **1/21/2021**

Trial Court Case No. **3AN-97-09242CR**

The Appellant, Mark J. Kon, is represented by the Public Defender Agency in this appeal. The Agency has recently filed a Notice of Change of Circumstances. According to the Notice, Mr. Kon is no longer “on probation for the conditions he seeks to overturn on appeal.” In other words, according to the Agency’s notice, there are no issues remaining in this appeal that still present a live controversy. As a general matter, a case becomes moot when it has lost its character as a present, live controversy or when the party bringing the action would not be entitled to any relief even if the party prevails.

Accordingly, **IT IS ORDERED:**

The Public Defender Agency is directed to show cause why this appeal should not be dismissed as moot. The Agency’s response to this order is due on or before **February 8, 2021**.

Entered under the authority of Chief Judge Allard.

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Clerk of the Appellate Courts

A handwritten signature in black ink, appearing to read 'S. Anderson', is positioned above a horizontal line.

Sarah Anderson, Deputy Clerk

Distribution:

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